

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE RESIDENTIAL CAPITAL, LLC, et al.,

Debtors.

Case No. 12-12020 (MG)
Chapter 11
Jointly Administered

**DECLARATION OF MARK A. STRAUSS IN SUPPORT OF UNOPPOSED MOTION
BY LANDON ROTHSTEIN, *ET AL.*, PURSUANT TO FED. R. BANKR. P. 7023 AND
9019 FOR AN ORDER: (I) PRELIMINARILY APPROVING THE CLASS ACTION
SETTLEMENT WITH RESPECT TO PLAINTIFFS' BANKRUPTCY PROOFS OF
CLAIM, (II) CERTIFYING THE SETTLEMENT CLASS AND APPOINTING CLASS
REPRESENTATIVES AND CLASS COUNSEL FOR PURPOSES OF THE
SETTLEMENT, (III) APPROVING THE FORM AND MANNER OF NOTICE TO THE
CLASS, (IV) SCHEDULING A FAIRNESS HEARING, AND (V) APPOINTING A
SETTLEMENT ADMINISTRATOR**

I, MARK STRAUSS, hereby declare as follows:

1. I am a member of the law firm of Kirby McInerney LLP, the Court appointed Lead Counsel for Plaintiffs in this Litigation. As such, I have knowledge of the matters set forth below. I make this declaration in support of Plaintiffs' motion for preliminary approval of the Settlement.

2. Attached hereto as the exhibits indicated are true and correct copies of the following:

Exhibit 1: Stipulation of Settlement, dated December 29, 2015.

Annexed to Exhibit 1 are the following Exhibits:

Exhibit A – [Proposed] Order Preliminarily Approving Proposed Settlement with the Rothstein Plaintiffs and Providing for Notice

Exhibit A-1 - Notice of (I) Pendency of Class Action; (II) Proposed Settlement and Plan of Allocation; (III) Settlement Fairness Hearing; and

(IV) Motion for an Award of Attorneys' Fees and Reimbursement of
Litigation Expenses

Exhibit A-2 - Summary notice of (I) Pendency of Class Action; (II)
Proposed Settlement and Plan of Allocation; (III) Settlement Fairness
Hearing; and (IV) Motion for an Award of Attorneys' Fees and
Reimbursement of Litigation Expenses

Exhibit A-3 - Summary Direct U.S. Mail Postcard Notice (Sides 1 and 2)

Exhibit B – [Proposed] Final Judgment and Order of Dismissal with
Prejudice

Exhibit 2: Mayer Brown LLP, *Do Class Actions Benefit Class Members, An
Empirical Analysis of Class Actions*, (2013).

Exhibit 3: NERA, *Consumer Class Action Settlements: 2010 – 2013*, (July 22, 2014).

Exhibit 4: Firm Resume of Kirby McInerney LLP.

I declare under penalty of perjury that the foregoing matters are true and correct.

Dated: January 11, 2016

/s/ Mark A. Strauss

Mark A. Strauss